

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
Plaintiff,) 8:08CR210
v.) ORDER
TERRY RAY BAIN,)
Defendant.)

This matter is before the court following the arraignment on the Superseding Indictment on April 15, 2009. Through counsel, Bain requested an additional thirty (30) days in which to file any additional pretrial motions. The request is granted and Bain shall have to on or before May 15, 2009, in which to file any additional pretrial motions.

The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **April 15, 2009 and May 15, 2009**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

IT IS SO ORDERED.

DATED this 15h day of April, 2009.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge